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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,132	09/25/2001	K. Douglas Gennetten	10010027-1	9991

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HEWLETT-PACKARD COMPANY
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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,132

Applicant(s)

GENNETTEN ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3. 6) ☐ Other:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 6-9, 11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,095,196 issued to Miyata (hereafter Miyata '196).

Claim 1:

Miyata '196 discloses:

- a plurality of uniquely-identifiable data capturing devices [Fig 3A, items 26, 27 and 28, col 3, line 60 through col 4, line 30, Fig 14, item 26, col 9, lines 38-65]
- a warehouse for receiving and storing at least one set of captured data from each device according to an identity of the device that captured each data set [Fig 2, item 9].

Claim 2:

Miyata '196 discloses wherein said warehouse comprises a naming service for uniquely-naming each data set from a single capture device [col 2, lines 45-48].

Claim 4:

Miyata '196 discloses wherein said warehouse comprises a client service for providing access to each of the stored data sets [col 2, lines 64-66].

Claim 6:

Miyata '196 discloses wherein said warehouse means comprises data set synchronizer for synchronizing data sets in the data capturing devices with data sets in the warehouse [Fig 7, items 73a, 73b, 73c and col 5, line 67 through col 6, line 6].

Claim 7:

Miyata '196 discloses wherein said data capturing device is a camera [Fig 3A, item 26]

Claim 8:

Miyata '196 discloses:

- receiving at least one set of captured data from each of a plurality of uniquely-identifiable data capturing devices [Fig 3A, items 26, 27 and 28, col 3, line 60 through col 4, line 30, Fig 14, item 26, col 9, lines 38-65]
- storing the received data sets according to an identity of the device that captured each data set [Fig 2, item 9].

Claim 9:

Miyata '196 discloses uniquely-naming each data set from a single capturing device [col 2, lines 45-48].

Claim 11:

Miyata '196 discloses synchronizing the received data sets with stored data sets [Fig 7, items 73a, 73b, 73c and col 5, line 67 through col 6, line 6].

Claim 13:

Miyata '196 discloses a camera [Fig 3A, item 26]

Claims 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No. US 2001/0032335 issued to Jones (hereafter Jones '335).

Claim 14:

Jones '335 discloses:

- logic that receives at least one set of captured data from each of a plurality of uniquely identifiable data capturing devices [Fig 7, item 24];
- logic that stores the received data sets according to an identity of the device

that captured each data set [Fig 8]

- logic for providing direct access to each of the stored data sets via the Internet [Fig 7, item 70]

Claim 15:

Jones '335 discloses logic that uniquely-names each data set from a single capturing device [paragraph 71].

Claim 16:

Jones '335 discloses logic that registers each of the data capturing devices to an owner [Fig 8].

Claim 17:

Jones '335 discloses logic that synchronizes the received data sets with stored data sets [Fig 7].

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Claim 18:

Jones '335 discloses the data capturing devices are selected from the group consisting of cameras [Fig 7, item 71].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyata '196 in view of Pub No US 2003/0110467 issued to Balakrishnan (hereafter Balakrishnan '467).

Claim 3:

Miyata '196 discloses the elements of claim 1 as noted above.

Miyata '196 fails to disclose wherein said warehouse comprises a mapping service for mapping each data set to a domain of the warehouse corresponding to the device that captured the data set.

Balakrishnan '467 discloses wherein said warehouse comprises a mapping service for mapping each data set to a domain of the warehouse corresponding to the device that captured the data set [paragraph 58].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miyata '196 to include wherein said warehouse comprises a mapping

service for mapping each data set to a domain of the warehouse corresponding to the device that captured the data set as taught by Balakrishnan '467.

The ordinarily skilled artisan would have been motivated to modify Miyata '196 per the above for the purpose of organizing the data in a manner that is transparent to the viewer [paragraph 58].

Claim 10:

Miyata '196 discloses the elements of claim 8 as noted above.

Miyata '196 fails to disclose mapping each data set to a domain corresponding to the device that captured the data set.

Balakrishnan '467 discloses mapping each data set to a domain corresponding to the device that captured the data set [paragraph 58].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miyata '196 to include mapping each data set to a domain corresponding to the device that captured the data set as taught by Balakrishnan '467.

The ordinarily skilled artisan would have been motivated to modify Miyata '196 per the above for the purpose of organizing the data in a manner that is transparent to the viewer [paragraph 58].

Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyata '196 in view of Jones '335.

Claim 5:

Miyata '196 discloses the elements of claim 1 as noted above.

Miyata '196 fails to disclose wherein said warehouse comprises a registrar for registering each of the data capturing devices to an owner.

Jones '335 discloses wherein said warehouse comprises a registrar for registering each of the data capturing devices to an owner [claim 36]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miyata '196 to include wherein said warehouse comprises a registrar for registering each of the data capturing devices to an owner as taught by Jones '335.

The ordinarily skilled artisan would have been motivated to modify Miyata '196 per the above for the purpose of providing a real-time picture communications system [paragraph 13]

Claim 12:

Miyata '196 discloses the elements of claim 8 as noted above.

Miyata '196 fails to disclose wherein said warehouse comprises a registrar for registering each of the data capturing devices to an owner.

Jones '335 discloses wherein said warehouse comprises a registrar for registering each of the data capturing devices to an owner [claim 36]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miyata '196 to include wherein said warehouse comprises a registrar for registering each of the data capturing devices to an owner as taught by Jones '335.

The ordinarily skilled artisan would have been motivated to modify Miyata '196 per the above for the purpose of providing a real-time picture communications system [paragraph 13]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux



November 5, 2003



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